

COMMENTS RECEIVED FIRST DRAFT INTEGRATED FEASIBILTIY REPORT AND DRAFT PROGRAMMATIC ENVIRONMENTAL IMPACT STATEMENT

(Original draft report released for public review in December 2013)

RESPONSES TO COMMENTS ON FIRST DRAFT REPORT ARE AVAILABLE UPON REQUEST



SUMMARY

This document presents the formal NEPA comments and the U.S. Army Corps of Engineers (USACE), Mississippi Valley Division, New Orleans District's (CEMVN) responses regarding the Southwest Coastal Louisiana Study Integrated Feasibility Report and Draft Programmatic Environmental Impact Statement. In accordance with the National Environmental Policy Act (NEPA) of 1969, the District issued a Notice of Availability (NOA), dated December 13, 2013, inviting public participation to comment on the Draft Report. The U.S. Environmental Protection Agency issued the NOA in the *Federal Register* Volume 78, Number 240, page 75919 dated December 13, 2013. The Draft Report was posted on the study web site at http://www.mvn.usace.army.mil/About/Projects/SouthwestCoastal.aspx.

Comments on the Integrated Feasibility Report and Draft Programmatic Environmental Impact Statement were requested during the 45-day comment period from December 13, 2013, to January 27, 2014, which was extended until February 13, 2014. Distribution of the Integrated Feasibility Report and Draft Programmatic Environmental Impact Statement for review and comment included mailing the document to Federal, state, and local agencies; Tribes; libraries; and other interested parties. During the public comment period two public meetings were held at Abbeville and Lake Charles, Louisiana. A total of 121 people attended the public meetings with a total of 12 individuals offering oral comments. The CEMVN received 11 written comments (emails, faxes, and letters) from Federal, state, parish and local governments; and 31 written comments from members of the public. Many of the written comments contained multiple comments. Some of the comments had attachments. A total of 578 individual comments were received. The major themes of the comments included: largest number of individual comments, primarily editorial, came from the CPRA; USACE SMART Planning procedures; request levee/structural protection or risk reduction; request consideration of agriculture, Henry Hub and other commercial industrial assets in benefit/cost calculations for structural risk reduction; non-structural risk reduction not wanted; levee "discrimination" (e.g., protect wetlands but not people); ecosystem restoration; increasing salinities; Calcasieu Ship Channel; and cheniers.

The oral testimonies and written comments were reviewed and considered by the CEMVN. Salient comments, questions, and concerns were identified and considered. USACE policy comments were also considered. The significant changes required to respond to the oral testimonies and written comments, as well as the significant changes required to respond to USACE policy comments, together warranted preparation of a Revised Draft Feasibility Report and Revised Draft Environmental Impact Statement that is no longer programmatic for the environmental restoration (National Environmental Resources [NER]) component of the study. The hurricane and storm risk reduction portion of the study (National Economic Development [NED]), would also be significantly revised, but will remain programmatic. All substantive formal NEPA comments received on the Integrated Feasibility Report and Draft Programmatic Environmental Impact Statement are included in this appendix, whether or not the comment is thought to merit individual discussion in the text of the Revised Draft Feasibility Report and Revised Draft Environmental Impact Statement. The Revised Draft Feasibility Report and Revised Draft Environmental Impact Statement will be posted on the study web site at http://www.mvn.usace.army.mil/About/Projects/SouthwestCoastal.aspx.



ACRONYMS AND ABBREVIATIONS

CCA Coastal Conservation Association

CCMP Comprehensive Conservation Management Plan

CEMVN U.S. Army Corps of Engineers, Mississippi Valley Division, New Orleans District

CFR Code of Federal Regulations

CPRA Louisiana Coastal Protection and Restoration Agency
CWPPRA Coastal Wetland Planning, Protection, and Restoration Act

CZM Coastal Zone Management

FEMA Federal Emergency Management Agency FEIS Final Environmental Impact Statement

GIWW Gulf Intracoastal Waterway LCA Louisiana Coastal Area

LDNR Louisiana Department of Natural Resources
LDWF Louisiana Department of Wildlife and Fisheries

NED National Economic Development
NEPA National Environmental Policy Act
NER National Ecosystem Restoration
NGO Non-Government Organization
NMFS National Marine Fisheries Service
NRCS Natural Resources Conservation Service

PDT Project Delivery Team

PEIS Programmatic Environmental Impact Statement

RP Recommended Plan
TSP Tentatively Selected Plan
USACE U.S. Army Corps of Engineers
USDA U.S. Department of Agriculture

USEPA U.S. Environmental Protection Agency
USEWS U.S. Fish and Wildlife Service

USFWS U.S. Fish and Wildlife Service WRDA Water Resources Development Act



1.0 INTRODUCTION

The NEPA (40 CFR 1503.1) established a nationwide policy that after preparing a draft EIS and before preparing a final EIS the agency shall:

- Obtain the comments of any Federal agency which has jurisdiction by law or special expertise with respect to any environmental impact involved or which is authorized to develop and enforce environmental standards.
- Request the comments of:
 - o Appropriate state and local agencies which are authorized to develop and enforce environmental standards;
 - o Indian tribes, when the effects may be on a reservation; and
 - O Any agency which has requested that it receive statements on actions of the kind proposed.
- Request comments from the public, affirmatively soliciting comments from those persons or organizations who may be interested or affected.

An agency may request comments on a final EIS before the decision is finally made. In any case, other agencies or persons may make comments before the final decision unless a different time is provided under 40 CFR \$\infty\$1506.10. This document describes the requested formal NEPA comments and the US Army Corps of Engineers (USACE), Mississippi Valley Division, New Orleans District's (CEMVN) responses regarding the Integrated Feasibility Report and Draft Programmatic Environmental Impact Statement (Draft Programmatic Report).

The CEMVN issued a Notice of Availability (NOA), dated December 13, 2013, inviting comments on the Draft Programmatic Report. The U.S. Environmental Protection Agency (EPA) issued the NOA in the *Federal Register* Volume 78, Number 240, page 75919 dated December 13, 2013. Distribution of the Draft Programmatic Report for review and comment included mailing the document to Federal, state, and local agencies; Tribes; libraries; and other interested parties. The full distribution mailing list is available from the CEMVN upon request. Comments on the Draft Programmatic Report were requested during the 45-day comment period from December 13, 2013, to January 27, 2014, which was extended until February 13, 2014.

News releases announcing the availability of the Draft Programmatic Report for review and comment, and information on public meetings were distributed via MyMediaInfo to 324 media outlets. News releases were posted to www.mvn.usace.army.mil, and shared via the MVN Facebook page. Newspaper ads for the public meetings were placed in the following newspapers: American Press and Vermillion Today. Emails, with meeting notifications, were sent to non-governmental organizations (NGOs) that are actively involved in coastal restoration. Public meetings were also coordinated with Calcasieu and Vermilion Parishes.

Notifications of the availability of the Draft Programmatic Report were sent to interested parties. The CEMVN also made the Draft Programmatic Report available for view and downloading from the world wide web at: www.mvn.usace.army.mil/About/Projects/SouthwestCoastal.aspx.

A project specific email address was established to receive comments on the Draft Programmatic Report—SWCoastalAdmin@usace.army.mil. However, at the end of the comment period on January 27, 2014, the CEMVN team found that emails from senders outside of the USACE network were not received in the Southwest Coastal project-specific email inbox. An improper email security setting blocked incoming public comment emails. Consequently, the CEMVN extended the comment period and requested the public and other interested parties to resend their email comments by Thursday, February 13, 2014. A public engagement plan was developed and is outlined below.

Key Messages/Talking Points:

• The U.S. Army Corps of Engineers, New Orleans District established the Southwest Coastal Feasibility Study project email, SWCoastalAdmin@usace.army.mil, as a tool to collect public comment on the



"Southwest Coastal Louisiana Draft Integrated Feasibility Report and Programmatic Environmental Impact Statement".

- Due to a security setting on the Southwest Coastal Feasibility Study project email, SWCoastalAdmin@usace.army.mil, emails from senders outside of the U.S. Army Corps of Engineers' email network were blocked and not received by the project team.
- The project team will be reaching out to all those who attended the public meetings, local stakeholders and elected officials, resource agencies, other interested parties, and Government to Government Tribal coordination informing them about resubmission of comments through Thursday, February 13, 2014.
- The CEMVN wants to ensure receipt of all public comments on the Southwest Coastal Louisiana Draft Integrated Feasibility Report and Programmatic Environmental Impact Statement.
- Public comment is an important part of the U.S. Army Corps of Engineers' planning and NEPA processes, and helps the U.S. Army Corps of Engineers to put forth the best possible plan for reducing risk and restoring coastal ecosystem in the southwest portion of the State.
- The U.S. Army Corps of Engineers regrets any inconvenience that this issue may have caused and wants to ensure that the project team receives important public comments on this draft report. The issue has been resolved.

Roll Out Plan/Actions:

- Newspaper ads informing the public of the need to resubmit email comments were placed in the American Press and Vermillion Today.
- CEMVN team members contacted all public meeting attendees via phone, email and mail to inform the public of the need to resubmit email comments.
- A formal letter regarding the email resubmission was sent to Interested Parties, as well as local government entities, stakeholders, Non-Governmental Organizations and public meeting attendees.
- News release distributed via MyMediaInfo, and local media outlets.
- News release posted on world wide web at <u>www.mvn.usace.army.mil</u> and shared via CEMVN Facebook page.

Two public meetings were conducted in January 2014 (**Table 1**). The meetings provided an opportunity to inform the public about the findings of the Draft Programmatic Report, ask questions about the study and a forum for accepting formal comments on the Draft Programmatic Report. A court reporter recorded (using stenography and tape recorder) each of the public meetings and provided the CEMVN with a written transcript of each meeting record. The transcripts were summarized into meeting minutes.

Table 1. NEPA Public Meetings Information												
Date	Location	Attendees										
January 7, 2014	Lake Charles Civic Center Contraband Room – 2nd Floor 900 Lakeshore Drive Lake Charles, LA 70601	28 attendees 6 individuals offered comments										
January 9, 2014	Vermilion Parish Library-Abbeville Branch 405 E. St. Victor Street Abbeville, LA 70510	93 attendees 6 individuals offered comments										

The public meeting format included an Open House from 6:00 to 6:30 pm where general information about the study effort and process was provided. From 6:30 to 7:00 pm, an overview of the proposed National Economic Development (NED) and National Ecosystem Restoration (NER) Plans was presented. Formal public comments on the Draft Programmatic Report were then received. The meetings provided a forum for public expression of verbal statements regarding the proposed action and the content and the findings of the Draft Programmatic Report. Provisions were also made so that comments could be written on comment cards and



provided to the CEMVN during or following the meeting. A total of 12 meeting attendees provided verbal comments at the two public meetings. Following receipt of formal NEPA comments, a question and answer session was conducted.

The NEPA provides specific guidance (40 CFR 1503.4) about responding to comments. An agency preparing a final EIS shall assess and consider comments both individually and collectively, and shall respond by one or more of the means listed below, stating its response in the final statement. Possible responses are to:

- Modify alternatives including the proposed action.
- Develop and evaluate alternatives not previously given serious consideration by the agency.
- Supplement, improve, or modify its analyses.
- Make factual corrections.
- Explain why the comments do not warrant further agency response, citing the sources, authorities, or reasons which support the agency's position and, if appropriate, indicate those circumstances which would trigger agency reappraisal or further response.

During the public comment period two public meetings were held at Abbeville and Lake Charles, Louisiana. A total of 121 people attended the public meetings with a total of 12 individuals offering oral comments. The District received 11 written comments (emails, faxes, and letters) from Federal, state, parish and local governments; and 31 written comments from members of the public. Many of the comments contained multiple comments. Some of the comments had attachments. A total of 578 individual comments were received. The major themes of the comments included: editorial comments; the USACE SMART Planning procedures; request for a levee and structural hurricane and storm damage risk reduction; request for USACE to consider value of agriculture in the area; request to consider economic values regarding Henry Hub and other commercial industrial assets in benefit/cost calculations for structural risk reduction; non-structural risk reduction not wanted; levee "discrimination" (e.g., protect wetlands but not people); ecosystem restoration; increasing salinities; Calcasieu Ship Channel; and importance of the cheniers.

The oral testimonies and written comments were reviewed and considered by the CEMVN. Salient comments, questions, and concerns were identified and considered. USACE policy comments were also considered. The significant changes required to respond to the oral testimonies and written comments, as well as the significant changes required to respond to USACE policy comments, together warranted preparation of a Revised Draft Feasibility Report and Revised Draft Environmental Impact Statement that is no longer programmatic for the environmental restoration (National Environmental Resources [NER]) component of the study. The hurricane and storm risk reduction portion of the study (National Economic Development [NED]), would also be significantly revised, but will remain programmatic. All substantive formal NEPA comments received on the Integrated Feasibility Report and Draft Programmatic Environmental Impact Statement are included in this appendix, whether or not the comment is thought to merit individual discussion in the text of the Revised Draft Feasibility Report and Revised Draft Environmental Impact Statement. The Revised Draft Feasibility Report and Revised Draft Environmental Impact Statement will be posted on the study web site at http://www.mvn.usace.army.mil/About/Projects/SouthwestCoastal.aspx.

2.0 COMMENTS

Comments on the Draft Programmatic Report were received from Federal, state, parish and local governments, non-governmental organizations, interested parties and individuals of the public. Comments were submitted to the CEMVN in various forms including: public email, written comment/letter; public comment cards provided at NEPA public meetings, telephone comments, and public meetings verbal comments.

Public Meetings Comments

Public meetings to accept official NEPA public comments on the Draft Programmatic Report were held in January 2014 at Lake Charles and Abbeville, Louisiana. The following six individuals provided formal NEPA comments on the Draft Report at the Lake Charles public meeting on January 7, 2014:

Southwest Coastal Louisiana Study



Cynthia Seller Mayor Randy Roach Pat Landry Rickey Brouillette Robert Seed Rusty Vincent

The following six individuals provided formal NEPA comments on the Draft Report at the Abbeville public meeting on January 9, 2014:

Bob Thibodeaux Cody Dugas Harold Schoeffler John Faust Rickey Brouillette Unidentified Audience Member

The sign-in sheets for the public meetings at Lake Charles and Abbeville are presented in **Figures 1a** and **1b** and **Figures 2a** through **2g**, respectively.

Table 2 lists the Federal, state, and local agencies; individuals and other interested parties that provided written and other comments on the Draft Programmatic Report.

The formal NEPA comments presented at the Lake Charles and Abbeville public meetings, as well as all other comments (letter, email, comment cards, telephone) on the Draft Programmatic Report are presented in **Table 3**.



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Figure 1a. Lake Charles January 7, 2014 NEPA Public Meeting Sign-In Sheet.



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Figure 1b. Lake Charles January 7, 2014 NEPA Public Meeting Sign-In Sheet.



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Figure 2a. Abbeville January 9, 2014 NEPA Public Meeting Sign-In Sheet



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Figure 2b. Abbeville January 9, 2014 NEPA Public Meeting Sign-In Sheet



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Figure 2c. Abbeville January 9, 2014 NEPA Public Meeting Sign-In Sheet



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Figure 2d. Abbeville January 9, 2014 NEPA Public Meeting Sign-In Sheet



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Figure 2e. Abbeville January 9, 2014 NEPA Public Meeting Sign-In Sheet



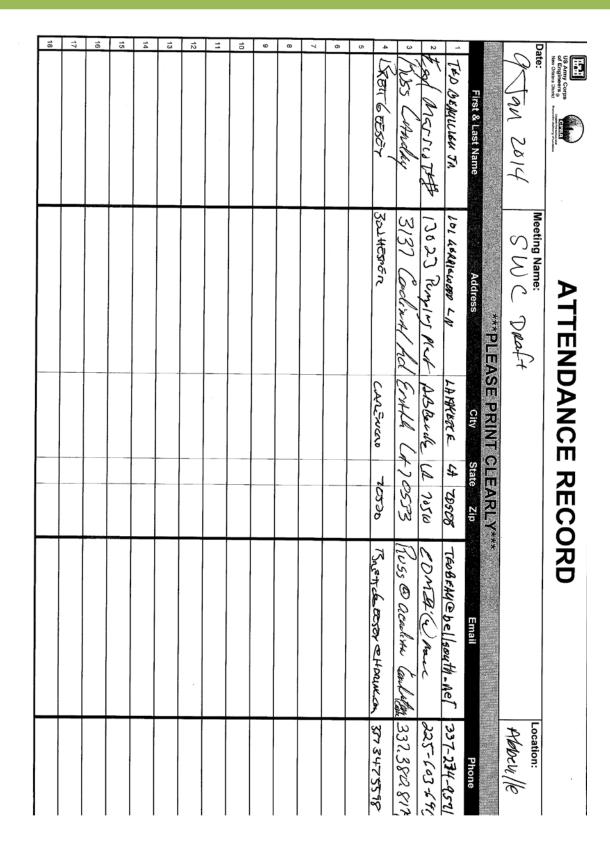


Figure 2f. Abbeville January 9, 2014 NEPA Public Meeting Sign-In Sheet



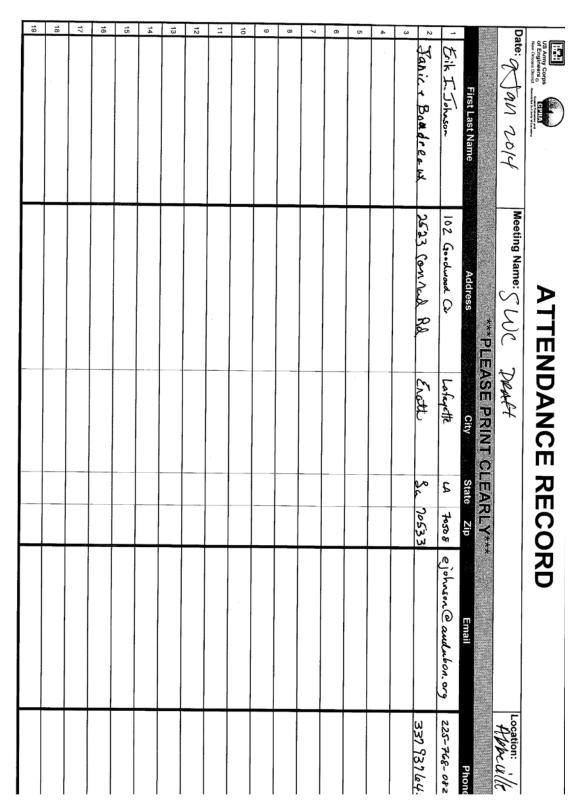


Figure 2g. Abbeville January 9, 2014 NEPA Public Meeting Sign-In Sheet

Southwest Coastal Louisiana Study



Table 2. List of Federal, state, and local agencies; individuals and other interested parties that provided comments on the Draft Report.

Bob Thibodeaux Bryon Richard Carol Picard Carol Picard

Coastal Protection and Restoration Authority

of Louisiana Cody Dugas

Councilwoman Mary Morris

Cynthia Seller Daphne Terral Davelyn DeMarcy David Minton

Dennis Scott, President, Calcasieu Parish

Police Jury Donald Sagrera E. Scott Henry Earl Landry

Environmental Protection Agency Errol Domingues / Gwen Broussard

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Gwen Broussard - President Vermilion Parish

Farm Bureau Federation

Harold Schoeffler Henry L. Ikeburg Joey Russo

John Faust John Hebert Joseph Laxaro Jude Primeaux Julie McNeii-Sagrera Leroy J Marceaux Lisa Chiasso

Louisiana Department of Wildlife and Fisheries

M. Broussard Michael Tritico

Mr. Sherwin, Jefferson Davis Police Jury

Natalie McElyea

National Marine Fisheries Service Natural Resources Conservation Service

Pat Landry - CPRA

Randy Roach, Mayor of Lake Charles

Rickey Brouillette - CPRA

Robert Seed Robert Thibodeaux Roland Vator

Ronald Menard, President, Vermilion Parish

Police Jury

Ruben "Ben" Rivera, Jr., CIC, LUTCF, FSS

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Ryan Bourriaque, Parish Administrator,

Cameron Parish Police Jury

Sandra Sue Neveaux Shannon Neveaux Sherrill J. Sagrera Terri Landry Tricia Gaspard

Unidentified Audience Member

William D. Blake